THE HONOURABLE SRI JUSTICE A.GOPAL REDDY

W.P. NO.6447/2006

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Dt.3-4-2006

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B.H.P.V.Employees Co-operative House Building Society for Weaker Sections & Minority Groups Limited No.B.1882, Visakhapatnam represented by its Person-in-Charge Committee and person P.A.Babji ..Petitioner

V.

1. Deputy Registrar of Co-operative Societies, Siripuram Junction, Visakhapatnam and others. …Respondents

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ORAL ORDER

Questioning the appointment of respondents 2 and 3 as Persons-in-charge to manage the affairs of the B.H.P.V. Employees Co-operative House Building Society for Weaker Sections & Minority Groups Limited, Visakhapatnam (for short “the Society”) in exercise of powers vested in the first respondent, Deputy Registrar of Co-operative Societies, Visakhapatnam Division through his proceedings dt. 20-3-2006, the present writ petition has

been filed.

It is not in dispute the present writ petition is filed by the Society represented by one of its Persons-in-charge Committee P.A.Babji, who was appointed along with others, by the very same Deputy Registrar of Co-operative Societies, Visakhapatnam for a period o f two months ie., from 1-2-2005 to 31-3-2005 or until the elected committee assumes charge or until further orders whichever is earlier, by proceedings dt. 1-2-2005. The said term was extended from time to time. On expiry of the term, the members of the committee of persons-in-charge have no right to continue in office. In the absence of any further extension, they cannot question the appointment of a Person-in-charge committee as held by the Division Bench of this court in ELAKOLAN PRIMARY AGRICULTURAL CO-OP. CREDIT SOCIETY LIMITED V. GOVT. OF A.P (2003(6) ALT 274(DB). Therefore, challenge must fail and the writ petition is accordingly dismissed. However, the respondent No.1 is directed to take steps to conduct elections to the Society in accordance with law within a period of three (3) months from the date of receipt of a copy of the judgment. No costs.

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A.GOPAL REDDY,J

Dt. 3-4-2006

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